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**By ECF**

Hon. Ronnie Abrams  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2203  
New York, NY 10007

April 3, 2024

Application granted. The initial pretrial conference originally scheduled for April 12, 2024, is hereby adjourned to May 31, 2024 at 2:30 p.m. No later than May 24, 2024, the parties shall file their joint letter, proposed scheduling order, and case management plan.

SO ORDERED.

Re: *Dittes v. ChargeAfter USA, Inc., et al.*,  
Case No. 1:24-cv-746 (RA) (S.D.N.Y.)

Hon. Ronnie Abrams  
April 4, 2024

Dear Judge Abrams,

We represent Defendants in the above action and write to respectfully request the upcoming initial conference, currently scheduled for April 21, 2024, be adjourned until after Defendants answer Plaintiff's Complaint. Plaintiff consents to this request.

Plaintiff commenced this action in New York State Supreme Court on December 22, 2023. On February 1, 2024, prior to Plaintiff serving her Complaint, Defendants removed the case. Importantly, Plaintiff did not serve the Complaint before or after removal.

On March 27, 2024, after the time for service under Rule 4(m) expired, we reached out to Plaintiff's counsel to confirm whether they were going to proceed with this action or dismiss it. When Plaintiff indicated they were not going to dismiss it, at Plaintiff's request, we agreed to waive service pursuant to Rule 4(d). Having waived service on March 27, 2024, Defendants' responses to the Complaint are due May 28, 2024. At this point in time, Defendants are still investigating Plaintiff's claims and weighing how best to respond.

Given this posture, it is premature to have an initial conference. Accordingly, we respectfully request the initial conference be rescheduled for after May 28, 2024 (assuming Defendants answer the Complaint, rather than move to dismiss it), and the deadline for submission of the pre-conference letter and proposed case management plan and scheduling order be similarly adjourned. This is the parties' first request to adjourn the conference.

We thank the Court for its attention to this matter.

Respectfully,

DENLEA & CARTON LLP

By:

  
Craig M. Cepler

cc: All Counsel of Record (by ECF)